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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,484	11/14/2003	Marc Schlosser	SCHMPA103	9208

7590 02/07/2006

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EXAMINER

TON, ANABEL

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/713,484	<b>Applicant(s)</b> SCHLOSSER, MARC	
	<b>Examiner</b> Anabel M. Ton	<b>Art Unit</b> 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 21-28 and 32-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21,22 and 25-32,34-37 is/are rejected.
- 7) ☒ Claim(s) 23,24 and 33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 21,22,25-28,32,34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masden (2004/0059689) and further in view of Gallani (5,471,347) and in further view of Dempsey et al (6,796,673).

3. Masden discloses the claimed invention except for the recitation of a magnifying sheet and a signaling device.

4. Masden discloses a check presentation system with a bill folder, a tip calculator and a light source on the topside of the cover panel that is backlit for projecting light outwardly and inside of the bill folder. Gallani discloses a lens magnification system for booklets such as restaurant menus for magnifying printed matter within the booklet (figs 7-8). Dempsey discloses a restaurant billfold with at least one signaling lamp for emitting a distinct light to alert when a bill is ready to be paid. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Gallani's lens magnification system in the device of Masden since Masden teaches of the advantages of having a magnification system in booklets particularly for magnifying printed matter that is difficult to read in low light settings. Such a modification to the device of Masden would be purposeful providing Masden

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with an additional practical feature that would aid a user in magnifying printed matter provided on a restaurant bill. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Masden in further view of Gallani with the signaling device of Dempsey to provide the device of Masden modified by Gallani with a signaling device that would provide a restaurant patron a means for alerting server that the bill is ready to be paid, as taught by Dempsey. Such a modification to the device of Masden in further view of Gallani would be purposeful for greatly enhancing the practicality and usefulness of a bill folder.

5. With regards to the light-emitting source directing light onto a sheet substrate, Masden is considered to satisfy this limitation since bill pocket 140 is considered to be a sheet substrate. Bill pockets such as the one taught by Masden are commonly made from transparent plastic as taught by Dempsey as well.

6. With regards to the sheet substrate placed on the light source, such a modification would have been obvious to one of ordinary skill in the art since such a practice for the purpose of backlighting a sheet of printed matter is old and well known in the art (see cited prior art Lane).

- The transparent sheet of Gallani is movable in relation to an inner face of a bottom cover and a sheet with printed matter thereon.
- A plurality of signal lamps are structured and disposed to emit a steady light when actuated, the plurality of signaling lamps are structured and disposed to emit an intermittent flashing light when actuated, each of the plurality signaling

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lamps are individually actuated; the plurality of signaling lamps are of multiple colors (Dempsey, col. 2 lines 40-49, 64-67);

***Allowable Subject Matter***

7. Claims 23,24,33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: The prior art cited of record does not teach a mirror attached to the booklet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton

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Examiner  
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AMT



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800